HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No.7685 of 2004

Date 19-7-2007

Between:
Abdul Waheed

…….PETITIONER

AND

The Government of Andhra Pradesh
Rep. By its Principal Secretary,
Labour, Employment, Training and Factories (Lab.IV)
Department, A.P.,
Hyderabad and others.

……..RESPONDENTS

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No.7685 2004

ORDER: (per Smt. T.Meena Kumari,J)

The petitioner filed the present writ petition seeking a writ of Certiorari to call for the records relating to the order passed in O.A. No. 4278 of 1999, dated 27.3.2003 on the file of the A.P. Administrative Tribunal, Hyderabad and to quash the same.

When the matter was taken up for hearing, learned counsel for the parties fairly conceded before us that this matter is squarely covered by the judgment of a Division Bench of this court made in Writ Petition No. 6068 of 2006 and batch, dated 9.3.2007. The Division Bench in the said judgment observed thus:

> The law laid down by the Supreme Court must be held to be the law from the inception, unless the Supreme Court itself indicates that its decision will operate prospectively. It is not open for Courts/Tribunals to apply the law laid down by the Supreme Court only from the date on which the judgment came to be passed. In the absence of any direction by the Supreme Court, in **V. Jagannadha Rao**[1], that the law laid down therein is prospective in operation, it was not open to the Tribunal to hold that the law would apply prospectively only from 07.11.2001 i.e., from the date of the judgment in **V. Jagannadha Rao**[1]. The order of the Tribunal, to the limited extent that the judgment in **V. Jaganandha Rao**[1] was held applicable only

from 7.11.2001, must, accordingly, be set aside.

Admittedly, the issue raised in the present writ petition is squarely covered by the aforementioned Judgment of the Division Bench in Writ Petition No. 6068 of 2004 and batch, dated 9.3.2007. Hence, this writ petition is also disposed of in terms of the above judgment. No costs.

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(T. MEENA KUMARI,J)

Date: 19th July, 2007

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(G. CHANDRAIAH,J)

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